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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 LARRY J. WEBSTER,) No. CIV S-93-0306 LKK DAD DP
11)
12 Petitioner,) DEATH PENALTY CASE
13)
14 vs.)
15 S.W. ORNOSKI, Acting) PROTECTIVE ORDER RE TRIAL COUNSEL
16 Warden of the California State Prison) FILES
17 at San Quentin,)
Respondent.)
_____)

18 The parties having agreed to request the issuance of a protective order, and good cause
19 appearing, see Bittaker v. Woodford, 331 F.3d 715, 717 n.1 (9th Cir. 2003) (en banc),

20 IT IS HEREBY ORDERED:

21 For purposes of the discovery phase of this capital habeas litigation, all discovery of trial
22 attorney files granted to respondent shall be deemed to be confidential. In any event, the
23 documents and material in the trial counsel files (hereinafter "documents") may be used only by
24 representatives from the Office of the California Attorney General and only for purposes of any
25 proceedings incident to litigating the claims presented in the petition for writ of habeas corpus
26 pending before this Court.

27 Disclosure of the contents of the documents and the documents themselves may not be
28 made to any other persons or agencies, including any other law enforcement or prosecutorial

1 personnel or agencies, without an order from this Court. This order extends to respondent and all
2 persons acting on behalf of respondent in this proceeding, including but not limited to persons
3 employed by the Office of the California Attorney General, persons working on this matter who
4 are employed by California governmental divisions other than the Attorney General, persons
5 retained by respondent for any investigative or consulting work on this matter, and any expert
6 consultants or witnesses assisting respondent.

7 This order shall continue in effect after the conclusion of the habeas corpus proceedings
8 and specifically shall apply in the event of a retrial of all or any portion of petitioner's criminal
9 case, except that either party maintains the right to request modification or vacation of this order
10 upon entry of final judgment in this matter.

11 DATED: May 21, 2007.

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14 DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

15 Ddad1/orders.capital/webster0306.protectiveord

16 submitted by:

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